

PATENT

454311-2231.1

PATENT

NO

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Shi *et al.*  
U.S. Serial No. : 10/706,892  
Filing Date : November 13, 2003  
For : SCREENING FOR WEST NILE VIRUS  
ANTIVIRAL THERAPY  
Examiner : M Franco G Salvoza  
Art Unit : 1648

27 OCT 25 2006

US PATENT & TRADEMARK  
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(Typed or printed name of person mailing paper or fee)

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**REQUEST FOR REFUND**

Mail Stop 16  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for a refund of our check nos. 041312 in the amount of \$450.00 and  
041311 in the amount of \$130.00 that were inadvertently sent with the Amendment filed  
September 5, 2006 for which no fee was due.

Attached as Exhibit A is a copy of the first page of the Amendment, date stamped by the  
PTO. On the lower left side of this document is another stamp indicating receipt of our  
payments in the amounts of \$450.00 and \$130.00.

PATENT  
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Attached as Exhibit B is a copy of the patent application fee determination record, indicating that no fee was due for the claims as amended.

We respectfully request a review of this matter at your earliest convenience and subsequent posting of credits in the amounts of \$450.00 and \$130.00 to our Deposit Account No. 50-0320.

Thank you in advance for your consideration and attention to this matter.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By: Deborah L. Lu

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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number

CLAIMS AS FILED - PART I

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a))		
TOTAL CLAIMS (37 CFR 1.16(c))	minus 20 =	
NONDEPENDENT CLAIMS (37 CFR 1.16(b))	minus 3 =	
MULTIPLE DEP. NOENT CLAIM PRESENT (37 CFR 1.16(d))		

(Column 1) (Column 2)

SMALL ENTITY

OR OTHER THAN  
SMALL ENTITY

RATE	FEES
	\$ _____
X \$ _____ =	
X \$ _____ =	
+ \$ _____ =	
TOTAL	

RATE	FEES
	\$ _____
X \$ _____ =	
X \$ _____ =	
+ \$ _____ =	
TOTAL	

In column 1 is less than zero, enter "0" in column 2.

9/5/09

CLAIMS AS AMENDED - PART II

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))	53	Minus 94	=
Independent (37 CFR 1.16(b))	5	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			

(Column 1) (Column 2) (Column 3)

RATE	ADDITIONAL FEE
X \$ 25 =	
X \$ 100 =	
+ \$ _____ =	
TOTAL ADD'L FEE	

RATE	ADDITIONAL FEE
X \$ 50 =	
X \$ 200 =	
+ \$ _____ =	
TOTAL ADD'L FEE	

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))	*	Minus **	=
Independent (37 CFR 1.16(b))	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			

(Column 1) (Column 2) (Column 3)

RATE	ADDITIONAL FEE
X \$ _____ =	
X \$ _____ =	
+ \$ _____ =	
TOTAL ADD'L FEE	

RATE	ADDITIONAL FEE
X \$ _____ =	
X \$ _____ =	
+ \$ _____ =	
TOTAL ADD'L FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Aretha L. Pierre

(Typed or printed name of person mailing paper or fee)

Aretha L. Pierre

(Signature of person mailing paper or fee)

AMENDMENT AND RESPONSE TO  
OFFICE ACTION UNDER 37 C.F.R. §1.111  
WITH REQUEST FOR INTERVIEW

Repln. Ref: 11/01/2006 SDIRETA1 001054E700

DA#:500320 Name/Number:10706892

FC: 9204 Mail Stop Amendment \$450.00 CR

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is in response to the Office Communication dated June 2, 2006 setting a three (3) month term for reply. As the deadline for filing fell on a Saturday preceding a Federal Holiday, this response is being filed on the next business day, Tuesday, September 5, 2006. As this reply is being timely filed, by the September 2, 2006 deadline, no fee is believed to be due. However, in the event that any unforeseen fees are incurred, the commissioner is hereby authorized to charge any additionally required fee for this paper or credit any overpayment in fees for this paper, to Deposit Account No. 50-0320.

19/11/2006 HVUONG1 00000146 10706892

11 FC:1252 450.00 OP  
12 FC:1464 130.00 OP

-1-

00389920

Adjustment date: 11/01/2006 SDIRETA1  
09/11/2006 HVUONG1 00000146 10706892  
01 FC:1252 -450.00 OP

Repln. Ref: 11/01/2006 SDIRETA1 001044E600  
Name/Number:10706892  
DA#:500320 \$450.00 CR  
FC: 9204

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